

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1278.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
14702	40 App.:223 note.	Pub. L. 92–65, title II, § 214, Aug. 5, 1971, 85 Stat. 173.

§ 14703. Authorization of appropriations

(a) IN GENERAL.—In addition to amounts made available under section 14501, there is authorized to be appropriated to the Appalachian Regional Commission to carry out this subtitle—

- (1) \$87,000,000 for fiscal year 2008;
- (2) \$100,000,000 for fiscal year 2009;
- (3) \$105,000,000 for fiscal year 2010;
- (4) \$108,000,000 for fiscal year 2011; and
- (5) \$110,000,000 for each of fiscal years 2012 through 2020.

(b) ECONOMIC AND ENERGY DEVELOPMENT INITIATIVE.—Of the amounts made available under subsection (a), the following amounts may be used to carry out section 14508—

- (1) \$12,000,000 for fiscal year 2008;
- (2) \$12,500,000 for fiscal year 2009;
- (3) \$13,000,000 for fiscal year 2010;
- (4) \$13,500,000 for fiscal year 2011; and
- (5) \$14,000,000 for fiscal year 2012.

(c) HIGH-SPEED BROADBAND DEPLOYMENT INITIATIVE.—Of the amounts made available under subsection (a), \$10,000,000 may be used to carry out section 14509 for each of fiscal years 2016 through 2020.

(d) AVAILABILITY.—Amounts made available under subsection (a) remain available until expended.

(e) ALLOCATION OF FUNDS.—Funds approved by the Appalachian Regional Commission for a project in a State in the Appalachian region pursuant to a congressional directive shall be derived from the total amount allocated to the State by the Appalachian Regional Commission from amounts appropriated to carry out this subtitle.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1278; Pub. L. 110–371, § 5, Oct. 8, 2008, 122 Stat. 4041; Pub. L. 114–94, div. A, title I, § 1436(b), Dec. 4, 2015, 129 Stat. 1431.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
14703	40 App.:401.	Pub. L. 89–4, title IV, § 401, Mar. 9, 1965, 79 Stat. 21; Pub. L. 90–103, title I, § 122, Oct. 11, 1967, 81 Stat. 266; Pub. L. 91–123, title I, § 109, Nov. 25, 1969, 83 Stat. 215; Pub. L. 92–65, title II, § 212, Aug. 5, 1971, 85 Stat. 172; Pub. L. 94–188, title I, § 121, Dec. 31, 1975, 89 Stat. 1086; Pub. L. 96–506, § 3(5), Dec. 8, 1980, 94 Stat. 2746; Pub. L. 97–35, title XVIII, § 1822(a)(3), (4), Aug. 13, 1981, 95 Stat. 767; Pub. L. 105–393, title II, § 221, Nov. 13, 1998, 112 Stat. 3625; Pub. L. 107–149, § 10, Mar. 12, 2002, 116 Stat. 70.

AMENDMENTS

2015—Subsec. (a)(5). Pub. L. 114–94, § 1436(b)(1), substituted “each of fiscal years 2012 through 2020” for “fiscal year 2012”.

Subsecs. (c) to (e). Pub. L. 114–94, § 1436(b)(2), (3), added subsec. (c) and redesignated former subsecs. (c) and (d) as (d) and (e), respectively.

2008—Subsec. (a). Pub. L. 110–371, § 5(a), amended subsec. (a) generally. Prior to amendment, subsec. (a) authorized appropriations to the Appalachian Regional Commission for fiscal years 2002 to 2006.

Subsec. (b). Pub. L. 110–371, § 5(b), amended subsec. (b) generally. Prior to amendment, subsec. (b) authorized appropriations to carry out section 14504 of this title for fiscal years 2002 to 2006.

Subsec. (d). Pub. L. 110–371, § 5(c), added subsec. (d).

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114–94 effective Oct. 1, 2015, see section 1436(d) of Pub. L. 114–94, set out as an Effective Date note under section 14509 of this title.

§ 14704. Termination

This subtitle, except sections 14102(a)(1) and (b) and 14501, ceases to be in effect on October 1, 2020.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1278; Pub. L. 109–289, div. B, title II, § 20326, as added Pub. L. 110–5, § 2, Feb. 15, 2007, 121 Stat. 22; Pub. L. 110–371, § 6, Oct. 8, 2008, 122 Stat. 4042; Pub. L. 114–94, div. A, title I, § 1436(c), Dec. 4, 2015, 129 Stat. 1431.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
14704	40 App.:405.	Pub. L. 89–4, title IV, § 405, Mar. 9, 1965, 79 Stat. 23; Pub. L. 91–123, title I, § 111, Nov. 25, 1969, 83 Stat. 216; Pub. L. 92–65, title II, § 213, Aug. 5, 1971, 85 Stat. 173; Pub. L. 94–188, title I, § 122(a), Dec. 31, 1975, 89 Stat. 1086; Pub. L. 96–506, § 3(6), Dec. 8, 1980, 94 Stat. 2746; Pub. L. 105–178, title I, § 1222(b) (1st sentence), June 9, 1998, 112 Stat. 224; Pub. L. 105–393, title II, § 222, Nov. 13, 1998, 112 Stat. 3625; Pub. L. 107–149, § 12, Mar. 12, 2002, 116 Stat. 71.

AMENDMENTS

2015—Pub. L. 114–94 substituted “2020” for “2012”.

2008—Pub. L. 110–371 substituted “2012” for “2007”.

2007—Pub. L. 109–289, § 20326, as added by Pub. L. 110–5, substituted “October 1, 2007” for “October 1, 2006”.

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114–94 effective Oct. 1, 2015, see section 1436(d) of Pub. L. 114–94, set out as an Effective Date note under section 14509 of this title.

SUBTITLE V—REGIONAL ECONOMIC AND INFRASTRUCTURE DEVELOPMENT

Chapter	Sec.
151.¹	GENERAL PROVISIONS 15101
153.²	REGIONAL COMMISSIONS 15301
155.³	FINANCIAL ASSISTANCE 15501
157.⁴	ADMINISTRATIVE PROVISIONS ... 15701

¹ So in original. Item corresponds to chapter 1 of this subtitle.

² So in original. Item corresponds to chapter 2 of this subtitle.

³ So in original. Item corresponds to chapter 3 of this subtitle.

⁴ So in original. Item corresponds to chapter 4 of this subtitle.

Chapter

Sec.

CHAPTER 1—GENERAL PROVISIONS

Sec.

15101. Definitions.

PRIOR PROVISIONS

A prior subtitle V, consisting of chapters 171, 173, 175, 177, 179, 181, and 183, was redesignated subtitle VI of this title by Pub. L. 110-234, title XIV, §14217(a)(1), May 22, 2008, 122 Stat. 1467, and Pub. L. 110-246, title XIV, §14217(a)(1), June 18, 2008, 122 Stat. 2229. The redesignation by Pub. L. 110-234 was repealed by Pub. L. 110-246, §4(a), June 18, 2008, 122 Stat. 1664.

§ 15101. Definitions

In this subtitle, the following definitions apply:

(1) **COMMISSION.**—The term “Commission” means a Commission established under section 15301.

(2) **LOCAL DEVELOPMENT DISTRICT.**—The term “local development district” means an entity that—

(A)(i) is an economic development district that is—

(I) in existence on the date of the enactment of this chapter; and

(II) located in the region; or

(ii) if an entity described in clause (i) does not exist—

(I) is organized and operated in a manner that ensures broad-based community participation and an effective opportunity for local officials, community leaders, and the public to contribute to the development and implementation of programs in the region;

(II) is governed by a policy board with at least a simple majority of members consisting of—

(aa) elected officials; or

(bb) designees or employees of a general purpose unit of local government that have been appointed to represent the unit of local government; and

(III) is certified by the Governor or appropriate State officer as having a charter or authority that includes the economic development of counties, portions of counties, or other political subdivisions within the region; and

(B) has not, as certified by the Federal Co-chairperson—

(i) inappropriately used Federal grant funds from any Federal source; or

(ii) appointed an officer who, during the period in which another entity inappropriately used Federal grant funds from any Federal source, was an officer of the other entity.

(3) **FEDERAL GRANT PROGRAM.**—The term “Federal grant program” means a Federal grant program to provide assistance in carrying out economic and community development activities.

(4) **INDIAN TRIBE.**—The term “Indian tribe” has the meaning given the term in section 4 of

the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(5) **NONPROFIT ENTITY.**—The term “nonprofit entity” means any organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under 501(a) of that Code that has been formed for the purpose of economic development.

(6) **REGION.**—The term “region” means the area covered by a Commission as described in subchapter II of chapter 157.¹

(Added Pub. L. 110-234, title XIV, §14217(a)(2), May 22, 2008, 122 Stat. 1468, and Pub. L. 110-246, §4(a), title XIV, §14217(a)(2), June 18, 2008, 122 Stat. 1664, 2230.)

REFERENCES IN TEXT

The date of the enactment of this chapter, referred to in par. (2)(A)(i)(I), is the date of enactment of Pub. L. 110-246, which was approved June 18, 2008.

Section 501 of the Internal Revenue Code of 1986, referred to in par. (5), is classified to section 501 of Title 26, Internal Revenue Code.

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

EFFECTIVE DATE

Enactment of this subtitle and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, except as otherwise provided, see section 4 of Pub. L. 110-246, set out as a note under section 8701 of Title 7, Agriculture.

Pub. L. 110-234, title XIV, §14217(d), May 22, 2008, 122 Stat. 1482, and Pub. L. 110-246, §4(a), title XIV, §14217(d), June 18, 2008, 122 Stat. 1664, 2244, provided that: “This section [enacting this subtitle, redesignating former subtitle V as subtitle VI of this title, and amending section 11 of the Inspector General Act of 1978, Pub. L. 95-452, set out in the Appendix to Title 5, Government Organization and Employees], and the amendments made by this section, shall take effect on the first day of the first fiscal year beginning after the date of the enactment of this Act [June 18, 2008].”

[Pub. L. 110-234 and Pub. L. 110-246 enacted identical provisions. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246, set out as a note under section 8701 of Title 7, Agriculture.]

CHAPTER 2¹—REGIONAL COMMISSIONS

Sec.

15301. Establishment, membership, and employees.

15302. Decisions.

15303. Functions.

15304. Administrative powers and expenses.

15305. Meetings.

15306. Personal financial interests.

15307. Tribal participation.

15308. Annual report.

§ 15301. Establishment, membership, and employees

(a) **ESTABLISHMENT.**—There are established the following regional Commissions:

(1) The Southeast Crescent Regional Commission.

(2) The Southwest Border Regional Commission.

(3) The Northern Border Regional Commission.

¹ So in original. Probably should be “151”. Another chapter 1 is set out in subtitle I of this title.

¹ So in original. Probably means chapter 4 of this subtitle.

¹ So in original. Probably should be “153”.